

**United States District Court
Eastern District of New York**

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Devendra Shukla	:	07 CV 2972 (CBA) (CLP)
Plaintiff,	:	
vs.	:	
	:	
Sat Prakash Sharma, Individually and as	:	
Director of Vishva Seva Ashram of New	:	
York, Geeta Sharma, individually and as	:	
director of Vishva Seva Ashram of New	:	
York, and Vishva Seva Ashram of New	:	
York, D/B/A Sarva Dev Mandir	:	
Defendants.	:	
_____	X	

Declaration of Krishnan Chittur, Esq.,

In Support of Motion for Attorneys' Fees and Expenses

Krishnan S. Chittur, an attorney duly admitted to the bar of this Court and elsewhere,
hereby solemnly affirms and states as follows under penalties of perjury:

1. I am the principal of Chittur & Associates, P.C. My firm was counsel of record for all the Defendants herein from June 11, 2010, to January 13, 2011. I am fully familiar with the facts and circumstance herein, and file this affirmation in support of the instant motion for payment of attorneys' fees and costs incurred for services rendered to the Defendants.
2. This motion is being filed in accordance with this Court's order of January 13, 2011.
3. In accordance with our retainer agreement with Defendants, we rendered legal services to Defendants in connection with the trial of this case from May 29, 2010. Consistent with that agreement, we submitted our invoice for fees for services rendered, and for expenses incurred, regularly to Defendants since then on a monthly basis. Defendants paid the initial invoices, and thereafter, kept promising to pay our dues to the last penny.

Defendants have never raised any questions about or disputed any of these invoices.

4. On or about December 30, 2010, we submitted an invoice to Defendants in the amount of \$181,551.20, as of December 30, 2010. “Ex. 1,” Invoice. Defendants have neither paid this invoice nor responded to our request for payment.
5. This invoice is based upon contemporaneously maintained time-records by me. These time-records are accurate and were maintained in my office computer using the software Amicus Attorney, Advanced Version 5.5.1. “Ex. 2,” Time-records for K. Chittur.
6. Also annexed are time-records maintained by my associate counsel, Mr. Strutinskiy. “Ex. 3,” Strutinskiy Decl., with time-sheets. As Mr. Strutinskiy affirms, he also maintained these time-records contemporaneously in Amicus Attorney, Advanced Version 5.5.1.
7. The invoice also includes out-of-pocket expenses of \$2,333.56 incurred by my firm in connection with this case.¹ “Ex. 4.” Expenses. These expenses were reasonably incurred in the course of legal representation of Defendants, and Defendants are liable to reimburse these expenses.
8. Further, under our retainer agreement with Defendants, interest accrues on our outstanding dues at the rate of 2% per month, calculated on a per diem basis, from the date of the invoice.
9. Defendants have not disputed the amount due to us, and we are aware of no basis for any such dispute. Accordingly, the Court may enter an order requiring such payment

¹The expenses sought in the invoice included \$2,313.63 towards the Court Reporter’s charges. Those charges are the subject of a separate application being filed contemporaneously, and hence, the amount sought is reduced correspondingly.

promptly.

10. In addition, Defendants have made false and scurrilous accusations against us in their motion for judgment notwithstanding the verdict. These accusations were factually baseless and legally unwarranted, and we will supplement this application with the time spent and expenses incurred in order to counter these accusations.
11. Further, the time spent in preparing this fee application, and any further filings/proceedings herein, have not been included in this application, and will be supplemented appropriately.
12. Accordingly, I request that the instant motion be granted in its entirety.

Dated: February 8, 2011

Sd/

Krishnan S. Chittur, Esq.